



#17/Response
9/17/01
J. L. Carter

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 017309/0173

In re patent application of

Josef Otto RETTENMAIER

Serial No. 09/380,731

Group Art Unit: 1723

Filed: September 13, 1999

Examiner: S. Kim

For: ANCILLARY FILTERING AGENT

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SEP 14 2001
TC 1700

REPLY UNDER 37 C.F.R. § 1.116

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in reply to the final Office Action mailed April 15, 2001. The period for response has been extended two months to September 10, 2001 by the enclosed petition for extension of time and appropriate fee.

IN THE CLAIMS

Please cancel without prejudice non-elected claims 29 and 31-35. Applicant reserves the right to file one or more divisional applications to pursue the subject matter of those claims.

REMARKS

In accordance with paragraph 7 of the final Office action, non-elected independent claim 29 and its dependent claims 31-35 have been cancelled without prejudice. Hence, claims 1-14 remain pending along with withdrawn dependent claims 15-28 and 30. (See MPEP § 809.03 and 809.04). Applicant respectfully requests reexamination and reconsideration.

- 1) The rejection of claims 1-2 and 8-9 rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,866,242 to Tan et al., is traversed.